

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Denise Carlon, Esquire  
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A Professional Corporation incorporated in  
Pennsylvania  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
ATTORNEYS FOR SECURED CREDITOR,  
BANK OF AMERICA, N.A.

In Re:  
Bryan J. Sachs

Debtor(s).

Case No.: 22-11662 MBK

Chapter: # 13

Hearing Date: 11/09/22, 9:00 AM

Judge: Michael B. Kaplan

Oral Argument [*requested/waived*]

**IMPORTANT NOTICE**

**Bank of America, N.A. (“BANA”) is committed to helping its Consumer & Small Business clients experiencing hardship. Depending upon the circumstances of your case, BANA may be agreeable to a consensual resolution of this matter through, among other things, a Court approved temporary deferral of payments, a restructuring of payments, or a restructuring of payment amounts. If you, or where applicable any co-debtors, fall into this category, you or your counsel (if represented) should promptly contact the undersigned to discuss possible options.**

**NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY**

BANK OF AMERICA, N.A. (“Movant”) hereby moves this Court for relief from the automatic stay, pursuant to 11 U.S.C. § 362, with respect to certain real property of the Debtor(s) having an address of 655 WOODLAND AVE, LAURENCE HARBOR, NJ 08879-2728 (the

“Property”), for all purposes allowed by the Note (defined below), the Mortgage (defined below), and applicable law, including but not limited to the right to foreclose.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to vacate the automatic stay as it relates to the property commonly known as 655 WOODLAND AVE, LAURENCE HARBOR, NJ 08879-2728, currently owned by the debtor(s) and made part of this bankruptcy, or if you want the court to consider your views on the motion, then on or before **October 12, 2022**, you or your attorney should complete the steps described in (a) and (b) below:

- (a) File with the court a written request for a hearing, and an answer explaining your position at: United States Bankruptcy Court District of New Jersey (Trenton) 402 East State Street, Trenton , NJ 08608. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must also mail a copy to the following:

<p>Denise Carlon, Esquire KML Law Group, P.C. A Professional Corporation incorporated in Pennsylvania 701 Market Street, Suite 5000 Philadelphia, PA 19106 ATTORNEYS FOR SECURED CREDITOR,</p> <p>BANK OF AMERICA, N.A.</p>	<p>Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853</p>
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- (b) Attend the hearing scheduled for **November 09, 2022 at 9:00 AM** in Courtroom 8 of the : United States Bankruptcy Court District of New Jersey (Trenton) 402 East State Street, Trenton , NJ 08608.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection, and may enter an order granting that relief.

The facts and circumstances supporting this Motion are set forth in the Certification in Support of Motion for Relief from Stay filed contemporaneously herewith (the “Certification”). Movant seeks relief from the automatic stay for the following reasons:

1. Movant’s interest in the Property is not adequately protected.
2. Movant’s interest in the collateral is not protected by an adequate equity cushion.
3. The fair market value of the Property is declining and payments are not being made to Movant sufficient to protect Movant’s interest against that decline.
4. Postconfirmation payments required by the confirmed plan have not been made to Movant.
5. Pursuant to 11 U.S.C. § 362(d)(2)(A), Debtor(s) has/have no equity in the Property; and pursuant to 11 U.S.C. § 362(d)(2)(B), the Property is not necessary for an effective reorganization.

Movant requests the following relief:

- (a) Relief from the stay for all purposes allowed by the Note, the Mortgage, and applicable law, including but not limited allowing Movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to foreclose upon and obtain possession of the Property.
- (b) That the Order be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.
- (c) For such other relief as the Court deems proper.

Movant further requests that upon entry of an order granting relief from stay, it be exempted from further compliance with Fed. Rule Bankr. P. 3002.1 in the instant bankruptcy case.

**Statement of Non-Necessity of Brief:** The Movant certifies pursuant to D.N.J. LBR 9013-2 that the within motion involves common questions of law and fact and does not involve complex or novel issues such as to require the submission of a legal brief.

Date: September 28, 2022

/s/ Denise Carlon, Esquire  
**Denise Carlon, Esquire**  
**Attorney for Secured Creditor**